

(2018) 09 CHH CK 0070

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 5188 Of 2018

Lakshami Mina @ Sukbai @
Sukariya

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: Sept. 5, 2018

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 34, 363, 372, 373

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Amiyakant Tiwari, Shashank Thakur

Final Decision: Allowed

Judgement

Prashant Kumar Mishra, J

1. Heard.
2. This is the third application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.193/2013 registered at Police Station Bhatapara (Rural), District Baloda Bazar-Bhatapara (CG) for the offence punishable under Sections 363, 372, 373/34 of IPC.
3. The first bail application was dismissed on merits, whereas, the second bail application was dismissed with observation to expedite the trial.
4. Learned counsel for the applicant would submit that the trial is still pending and would take some more time to conclude. He would submit that one Hakim Singh (PW-2) and the victim have in fact married.

5. Learned counsel for the State would not dispute the said statement on the basis of an enquiry report, which has been collected by the State authorities pursuant to the direction issued by this Court.

6. Considering the entire facts situation of the case particularly for the reason that the applicant, who is a lady aged about 45 years, is in jail since 24.11.2016, this Court is inclined to release the applicant on regular bail.

7. Accordingly, the application is allowed and the applicant is directed to be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given by the said Court.

8. Certified copy as per rules.